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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/451,167	11/30/1999	MATTI UUSIMAKI	944-001.005	8699

4955 7590 03/20/2002

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EXAMINER

ABDULSELAM, ABBAS L

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 03/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

p2

# Office Action Summary

Application No.  
09/451,167

Applicant(s)  
M. Uusimaki

Examiner  
Abbas Abdulsalam

Group Art Unit  
2674



☒ Responsive to communication(s) filed on Jan 16, 2002

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-30 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-30 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2674

## **DETAILED ACTION**

### **Response to Arguments**

1. Applicant's arguments filed 01/16/02 have been fully considered but they are not persuasive.

Applicant argues that Jambhekar (USPN 5715524) does not disclose "a contact force applied by a user for providing a force position signal indicative of the position of the contact force in relation to at least one dimension of the movable housing element". However, as will be shown in the rejection below, Jambhekar teaches a keypad (103) including a switch (127) disposed within the main body housing elements (107), and a switch activation device (129) disposed within a movable housing element (109). See col. 2, lines 51-60. Jambhekar also teaches arrangement of keys with respect to the movable housing element, and when a user depresses keys, pressure against the touch screen display as well as activation of a corresponding user data sub area will take place See col. 3, lines 43-65.

### **Claim Rejections 35 U.S.C. 103**

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colonna et al. (USPN 6115620) in view of Jambhekar et al. (USPN 5715524).

Art Unit: 2674

Regarding claim 1, Colonna teaches about a portable communication device (100), hinge assembly (214), first housing element (202), and second housing element (204) that is movable relative to first housing. See column 3, lines 61-67, and column 4, line 16. In addition Colonna teaches about a sensor producing a position signal to indicate the position of the second housing element relative to the first housing element. See column 2, lines 45-51. However, Colonna does not teach about the position of a contact force applied by the user for providing a force position signal in terms of a movable housing element.. Jambhekar on the other hand teaches about a switch (127), providing a signal responsive to the moving housing element (109) moving to open position. See column 3, lines 66-67, column 4, lines 1-11, and Fig 3. Jambhekar also teaches pressure against the touch screen display as well as activation of user data subarea in connection with depression of keys. See col. 3, lines 43-65.

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Colonna's device to include Jambhekar's switch and switch activating device. One would have been motivated in view of the suggestion in Jambhekar that the desired position of contact force can be equivalently obtained by Jambhekar's switch and switch activating mechanism. The use of switch and switch activating device helps function movable housing element in a communication device as taught by Jambhekar.

Regarding claims 2-3 and 28, it has been discussed above.

Regarding claims 4, 9 and 27 Jambhekar teaches about the main body housing element (107) including radio circuitry (113), and a user interface (117). See column 2, lines 39-60. Also

Art Unit: 2674

see Fig 3. Jambhekar also teaches about a plurality of function keys including function keys and numbers. See column 3, lines 42-50.

Regarding claims 5 and 18 , see Jambhekar's Fig 3.

Regarding claims 6 and 7, Colonna teaches about a controller (106), user interface (110) with respect to RF signals. See column 2, lines 65-67, and column 3, lines 1-7.

Regarding claim 8, Jambhekar teaches about part of the device as being made of piece of molded plastic and rubber like material. See column 13, lines 55-58.

Regarding claims 10 and 29 Colonna teaches about different types of input devices as wells as different electronic devices such as radiotelephone and PDA. See column 2, lines 60-65.

Also see column Fig 2 and 3

Regarding claim 11, Jambhekar teaches about a display (119), see Fig 1,

Regarding claim 12, See Jambhekar's Fig 1 and 3.

Regarding claim 13, Colonna's teaches about sensor circuitry. See Fig 8.

Regarding claims 14, 17, and 19-20 Column teaches about speaker (10) and radiotelephone system. See Fig 12. Colonna also teaches about, keypad (206) along with controller (106), user interface (110), and 19 and transmission of RF signals data including voice and control signals. See Fig 1, and 2.

Regarding claim 15, see Colonna's's Fig 3.

Regarding claim 16, Jambhekar teaches about the depression of keys and pressure against the touch screen. See column 3, lines 58-65.

Regarding claims 21-26, 30, see Jambhekar's Fig 1-3.

Art Unit: 2674

**Conclusion**

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2674

4. Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Abbas Abdulsalam** whose telephone number is **(703) 305-8591**. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached at **(703) 305-4709**.

Any response to this action should be mailed to:

Commissioner of patents and Trademarks

Washington, D.C. 20231

or faxed to:

**(703) 872-9314**

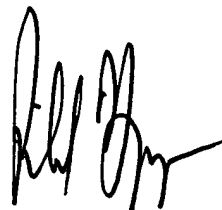
Hand delivered responses should be brought to crustal park II, Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology center 2600 customer Service office whose telephone number is (703) 306-0377.

Abbas Abdulsalam

Examiner

Art Unit 2674



**RICHARD HJERPE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**